



**Village of Commercial Point
Council Meeting Minutes
June 7, 2021**

Mayor Goldhardt called the meeting to order at 7:00 pm. Administrative Assistant Baldwin took roll call with the following members present: Mr. Mitchem, Ms. Joiner, Ms. Wolfe, Ms. Geiger and Mr. Thompson. Mr. Grassel was not present.

A motion was made to approve the May 17, 2021 Public Hearing Minutes by Ms. Joiner and seconded by Ms. Wolfe. All members present were in favor and the motion passed.

A motion was made to approve the May 17, 2021 Committee of the Whole Meeting Minutes by Ms. Joiner and seconded by Mr. Thompson. All members present were in favor and the motion passed.

A motion was made to approve the May 17, 2021 Regular Meeting Minutes by Ms. Wolfe and seconded by Ms. Joiner. All members present were in favor and the motion passed.

Administrative Reports:

- A. Mayor's Report – Mayor Goldhardt thanked the volunteers who helped on Shred Day and said that 3,400 pounds of paper was shredded.
- B. Village Solicitor's Report – Solicitor Cartee said he recommends that Council go into Executive Session during the business items to discuss imminent court action under Ohio Revised Code, Section 121.22G3.
- C. Police Chief's Report – Mayor Goldhardt advised Council that the monthly report will be sent out at the next meeting. He also said that we will start putting the GPS units on the existing cruisers after the new cruiser is placed into service.
- D. Village Administrator's Report – Administrator Crego discussed Resolution 19-2021 and recommended council's approval. He also said in the past several days they have been working through sections of the new plant and it should be online tomorrow.
- E. Village Engineer's Report – The engineer was not present.
- F. Zoning Administrator's Report – Administrator Kuzelka discussed the current zoning permits and a few infractions in the village.
- G. Fiscal Officer's Report – Fiscal Officer Hastings informed Council that the Utility Department shirts were ordered in the beginning of May and have been received. She said that the cell phones have also been purchased and distributed. She informed Council that she had made the final payment on the water tower loan. Ms. Joiner asked if we are receiving the Park & Recreation fee from the Industrial Parks. Fiscal Officer Hastings said yes.

Legislative Reports:

- A. Tracy Joiner - She had nothing to report at this time.
- B. Laura Wolfe – Ms. Wolfe asked that officers patrol the new section of Walker Point as they are building because she is seeing kids playing in the homes. She also asked if we are doing the mosquito spray this year. Fiscal Officer Hastings said it is budgeted for this year.
- C. Ryan Mitchem – He had nothing to report at this time.
- D. Jason Thompson – Mr. Thompson asked where we stand on hiring for the open police officer positions. Mayor Goldhardt advised him that we are currently accepting applications.
- E. Nancy Geiger - Ms. Geiger asked if an explanation can be provided on the process of uploading the council meetings on YouTube. Mayor Goldhardt stated that all of our council meetings are live streamed.



Village of Commercial Point
Council Meeting Minutes
June 7, 2021

He then outlined the process and time it takes to make the recordings available for public viewing. Once the process is completed, they are made available to the public on the Village's YouTube Channel.

Citizen Comments:

Ms. Lisa Oliver addressed council to discuss her concerns with the State Route 104 traffic. She asked why a recent traffic study has not been completed. She also said the speed limit is supposed to be 50 mph, but it is not posted.

Carrie Sexton discussed how back during the sludge pond issue, the township residents supported the village and helped fight against it. She is now asking for the village to support the township residents and help fight against the re-zoning issue.

Glen Stepp discussed what is posted on the webpage and did not understand why unapproved minutes cannot be posted. He is curious if the village can tell how many people are watching the meetings online. He asked how he can be notified of future meetings and zoning issues. He discussed the 280-acre re-zoning and said he would prefer it to be left zoned residential. He also discussed the semi traffic on State Route 104.

Business Items:

A. K-Nova Rezoning Request – Don Plank, Attorney for K-NOVA, said he has heard the concerns from the residents regarding re-zoning the property from residential to industrial. He said it is development that will help with some of those concerns. He said there will be a traffic study as ODOT requires it. He continued to discuss improvements that will be made if this is re-zoned. He discussed the development agreement that would be required for the development as well. Bruce Moore, Attorney for K-NOVA, said that they have the support of the school board. MS. Geiger said that in the last meeting, he said the same thing. Since that time, she reached out to school superintendent, Mr. Halley. She then read a statement from Mr. Halley that said the school does not take a position on the rezoning of any land. She said they do not have the support of the school for rezoning the land. She also pointed out that the last time Mr. Moore spoke, he said the village would not have any control over what type of houses would be built if it is left as is. She stated that since it is currently zoned R3, there are very strict guidelines already in place as to what can be built on the property. Mr. Moore said there are zoning restrictions in place but the difference is previous developers were forced to perform certain items outside of the current zoning laws. He said when he mentioned support by the school, he meant the CRA, not the rezoning. There was also some discussion on who may move onto the property if it is re-zoned.

B. Rohr Two Development, LLC Variance Request – Pete Gray of Van Trust addressed council. He discussed the variance they are seeking and displayed drawings for council. Mayor Goldhardt advised Council that there was a meeting last week with AEP which presents new concerns. He said they are coming through with 90 ft poles and are trying to figure out how to squeeze them into the right of way on the east side of State Route 104. He said they have restrictions on what kind of plantings can be under their wires. He said this will affect their variance regarding trees. Ms. Joiner said she wants to keep it uniform with what was approved for the first building.

C. Chapter 1191 Zoning Code Changes – Mayor Goldhardt advised Council of corrections made to the Canal Winchester Zoning Code regarding trees. Since our current ordinance was patterned after theirs, we may want to make corrections to ours as well. This will be discussed at the next Committee of the Whole meeting.

D. Irrigation Meters - Council feels irrigation meters should be allowed within the Village for commercial use only. Ms. Joiner suggested only allowing a specific time for irrigating properties. Mr. Thompson said he does not support that idea due to enforcement issues. Mayor Goldhardt said there are a few other things that can be done to help control the amount of water flow. He said we could restrict the size of tap, which would slow down the water flow. We could also change the pricing schedule and charge them more per gallon for the more water they use. The majority of council like the idea of the smaller tap.



Village of Commercial Point
Council Meeting Minutes
June 7, 2021

- E. Karting Classic Event Plan – A motion was made to approve the 2021 Karting Classic Event Plan by Ms. Joiner and seconded by Ms. Wolfe. All members present were in favor and the motion passed.

A motion was made at 8:24 p.m. to enter into Executive Session to discuss imminent court action under Ohio Revised Code 121.22 G3 by Ms. Joiner and seconded by Mr. Mitchem.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed and the Council went into Executive Session.

A motion was made at 8:45 p.m. to return from Executive Session by Mr. Thompson and seconded by Ms. Joiner.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed and the Council returned from Executive Session.

Legislation

First Reading:

Resolution 17-2021 A RESOLUTION TO INCREASE THE HOUSING FUND APPROPRIATIONS WITHIN THE 2021 PERMANENT BUDGET.

Mayor Goldhardt did a first reading, title only.

A motion was made to suspend the readings by Ms. Joiner and seconded by Ms. Wolfe.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed.

A motion was made to adopt Resolution 17-2021 by Ms. Wolfe and seconded by Ms. Joiner.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed.

Resolution 18-2021 A RESOLUTION TO RATIFY THE REALIGNMENT OF MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT 1000-910-910 AND TRANSFER SAID MONIES TO THE OTHER CONTRACTUAL 1000-410-399

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 18-2021 by Ms. Joiner and seconded by Ms. Geiger.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed.

Resolution 19-2021 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT FOR BULK WATER CONDITIONING SOFTENING SALT WITH MID-AMERICAN SALT, LLC, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

A motion was made to suspend the readings by Mr. Thompson and seconded by Ms. Wolfe.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed.

A motion was made to adopt Resolution 19-2021 by Mr. Thompson and seconded by Mr. Mitchem.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed.

Second Reading:

Ordinance 2021-17 AN ORDINANCE TO REZONE 281.817 +/- ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO FROM GENERAL COMMERCIAL AND LOW DENSITY RESIDENTIAL (R-3 RESIDENTIAL) TO LIMITED MANUFACTURING. VILLAGE OF COMMERCIAL POINT COUNCIL.

Mayor Goldhardt did a second reading, title only.



Village of Commercial Point
Council Meeting Minutes
June 7, 2021

Third Reading:

Ordinance 2021-16 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, VILLAGE ADMINISTRATOR, AND PLANNING AND ZONING ADMINISTRATOR TO ENTER INTO A REVISED AND RESTATED AGREEMENT WITH WJHOH LLC (WJH LLC) REGARDING EXTENSIONS OF CERTAIN CERTIFICATES OF ZONING COMPLIANCE FOR CONSTRUCTION IN THE GENOA CROSSING SUBDIVISION, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a third reading, title only.

Ms. Joiner asked Mr. Boggs, Attorney for Wade Journey Homes, how many occupancy permits have been received. Mr. Boggs advised Council that they have 13 Certificates of Occupancy out of the 27 homes with 5 scheduled to receive the final occupancy inspection. He requested an extension of time for the remaining 9 homes. Mr. Boggs has asked to extend the certificates of zoning for 90 days. Mr. Thompson said he is fine with this request but this is the last stand for him.

A motion was made to substitute language in Ordinance 2021-16 to a 90 day extension for all 27 properties by Mr. Thompson and seconded by Ms. Joiner.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed.

A motion was made to adopt Ordinance 2021-16 by Ms. Wolfe and seconded by Mr. Thompson.

Roll call vote: Mr. Thompson - Yes, Ms. Geiger - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes and Mr. Mitchem - Yes. The motion passed.

Additional Items:

There were no additional items at this time.

A motion to adjourn was made by Mr. Thompson and seconded by Mr. Mitchem. All members present were in favor, the motion passed and the meeting was adjourned.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer